

*E-Filing*

1 KEVIN V. RYAN (CSBN 118321)  
 2 United States Attorney

3 MARK L. KROTKOSKI (CSBN 138549)  
 4 Chief, Criminal Division

5 SUSAN KNIGHT (CSBN 209013)  
 6 Assistant United States Attorney

7 150 Almaden Blvd., Suite 900  
 8 San Jose, California 95113  
 9 Telephone: (408) 535-5056  
 10 FAX: (408) 535-5066  
 11 Susan.Knight@usdoj.gov

12 Attorneys for Plaintiff

**FILED**

JUN 21 2006

RICHARD W. WIEKING  
 CLERK, U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE

*RECEIVED*  
 JUN 21 2006

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA,	)	No. 06-70351 HRL
14 Plaintiff,	)	STIPULATION AND [PROPOSED]
15 v.	)	ORDER EXCLUDING TIME
16 QUENTIN CHIANG,	)	SAN JOSE VENUE
17 Defendant.	)	

---

21 On June 16, 2006, the parties in this case appeared before the Court for an initial appearance  
 22 on a criminal complaint. The defendant was informed of the charges and released on bond. The  
 23 parties requested that the arraignment be scheduled for July 20, 2006 before the Honorable Judge  
 24 Trumbull. The parties requested additional time in order for the government to provide  
 25 discovery to defense counsel and to allow the parties to explore a pre-indictment resolution. In  
 26 addition, the defendant, through Assistant Federal Public Defender Jay Rorty, agreed to an  
 27 exclusion of time under Rule 5 of the Federal Rules of Criminal Procedure and the Speedy Trial  
 28 Act from June 16, 2006 to July 20, 2006. The parties agree and stipulate that an exclusion of

1 time is appropriate based on the defendant's need for effective preparation of counsel.

2 SO STIPULATED:

KEVIN V. RYAN  
United States Attorney

4 DATED: \_\_\_\_\_

/s/  
SUSAN KNIGHT  
Assistant United States Attorney

6 DATED: \_\_\_\_\_

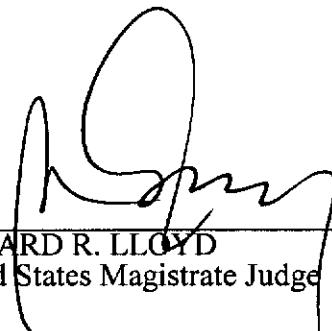
/s/  
JAY RORTY  
Assistant Federal Public Defender

9 Accordingly, the Court HEREBY ORDERS that the preliminary hearing or arraignment is  
10 continued to July 20, 2006 at 9:30 a.m. before the Honorable Judge Trumbull. Good cause  
11 is shown and the continuance is proper under Rule 5 of the Federal Rules of Criminal Procedure  
12 and 18 U.S.C. § 3060.

13 For good cause shown, the Court FURTHER ORDERS that time be excluded under the  
14 Speedy Trial Act from June 16, 2006 to July 20, 2006. The Court finds, based on the  
15 aforementioned reasons, that the ends of justice served by granting the requested continuance  
16 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant  
17 the requested continuance would deny defense counsel reasonable time necessary for effective  
18 preparation, taking into account the exercise of due diligence, and would result in a miscarriage  
19 of justice. The Court therefore concludes that this exclusion of time should be made under 18  
20 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

21 SO ORDERED.

22 DATED: 6/21/06



23 HOWARD R. LLOYD  
United States Magistrate Judge

24

25

26

27

28